

Docket No. 3553-4092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael Majeed Group Art Unit: 3625
Examiner: Robert Pond

Serial No. : 09/829,488

Filed : April 9, 2001

For : Apparatus, Method and System For Dynamic Demand
Reporting And Affection

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

I. The Examiner's Restriction Requirement

In response to the Examiner's restriction requirement, Applicants submit the instant response and request for reconsideration. The Examiner has required restriction to one of the following patentably distinct groups of claims under 35 U.S.C. § 121:

Group I. Claims 1-51 and 79-107 drawn to managed object system, classified in class 705, subclass 27;

Group II. Claims 52-75, and 63 drawn to high level application control classified in class 705, subclass 10.

Group III. Claims 76-78 drawn to managing software components, classified in class 705, subclass 10.

II. Applicants' Election and Request for Reconsideration

Applicants respectfully request reconsideration of the restriction requirement in view of the following remarks.

Applicants provisionally elect to pursue prosecution of Group I, claims 1-51 and 79-107.

This election is however made with traverse. Applicants respectfully submit that for a restriction requirement to be proper, "[t]here must be a serious burden on the examiner if restriction is not required." M.P.E.P. §803. Applicant respectfully submits that (1) the groups of restricted claims are properly presented in the same application; (2) undue diverse searching should not be required to examine at least several of these groups together; and (3) therefore additional claims should be examined together.


Applicants respectfully request that the Examiner review the groups of claims in determining the similar search and examination requirements of these groups. For the foregoing reasons, it is respectfully submitted that the restriction requirement should be withdrawn and an action on the merits is respectfully requested .

In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 13-4500, order no. 4887-4001US1. Any extension of time which may be required is hereby petitioned. A duplicate of this sheet is attached.

Respectfully submitted,

MORGAN & FINNEGAN

Dated: December 28, 2004

By: 
Walter G. Hanchuk
Reg. No. 35,179

Mailing address:
MORGAN & FINNEGAN
3 World Financial Center
New York, New York 10281
212-415-8500